

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

FILED-CLERK
DISTRICT COURT
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TEXAS-EASTERN

SCOTT O'GRADY,

Plaintiff,

v.

TWENTIETH CENTURY FOX FILM CORP.
and DISCOVERY COMMUNICATIONS, INC.,

Defendants.

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CIVIL ACTION NO. 5:02CV173

"JURY"

JUDGE DAVID FOLSOM

**PLAINTIFF O'GRADY'S UNOPPOSED MOTION FOR
LEAVE TO FILE RESPONSE TO DEFENDANTS' MOTIONS
FOR SUMMARY JUDGMENT IN EXCESS OF PAGE LIMITS**

Plaintiff O'Grady ("O'Grady") files this Unopposed Motion for Leave to File Response to Defendants' Motions for Summary Judgment in Excess of Page Limits pursuant to Local Rule CV-7 and in support of this Motion would show:

1. On June 30, 2003, Defendants Twentieth Century Fox Film Corporation ("Fox") and Discovery Communications, Inc. ("DCI") filed motions for summary judgment in this action. The substance of DCI's motion and brief was forty-six (46) pages long, and Fox's brief was an additional forty-nine (49) pages in length. Moreover, the Joint Appendix of evidence filed by Defendants is approximately seven (7) inches thick. Thus, since O'Grady must respond to ninety-five pages of briefing, the Court should extend the page limits under Local Rule CV-7.

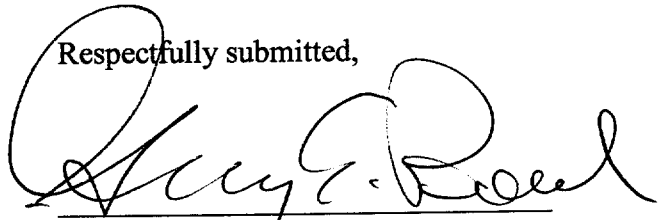
2. Furthermore, this case involves unique and intricate issues of First Amendment interpretation. Additional space is needed to fully distill the parties' positions on these important legal issues.

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3. The parties have conferred regarding the substance of this Motion. This Motion is unopposed.

WHEREFORE, Plaintiff O'Grady respectfully requests that this Unopposed Motion for Leave to File Response to Defendants' Motions for Summary Judgment in Excess of Page Limits be granted, that O'Grady be permitted to file a response brief of up to 75 pages in length, and for any other relief that the Court may deem appropriate.

Respectfully submitted,



George E. Bowles

State Bar No. 02743300

Attorney in Charge

C. W. Flynn

State Bar No. 07196580

Roy W. Hardin

State Bar No. 08968300

W. Scott Hastings

State Bar No. 24002241

Stephen D. Wilson

State Bar No. 24003187

LOCKE LIDDELL & SAPP LLP

2200 Ross Avenue, Suite 2200

Dallas, TX 75201-6776

Telephone (214) 740-8000

Facsimile (214) 740-8800

gbowles@lockeliddell.com

G. William Lavender

State Bar No. 11999590

Lavender Law Firm

P. O. Box 1938

Texarkana, Arkansas 75504

Telephone (870) 773-3187

Facsimile (870) 773-3181

ATTORNEYS FOR PLAINTIFF
SCOTT O'GRADY

CERTIFICATE OF SERVICE


This is to certify that a true and correct copy of the foregoing "Plaintiff O'Grady's Unopposed Motion for Leave to File Response to Defendants' Motions for Summary Judgment in Excess of Page Limits" was served upon the following counsel of record via certified mail, return receipt requested, on this 28th day of July, 2003:

Charles L. Babcock
Nancy Hamilton
Jackson Walker L.L.P.
1401 McKinney, Suite 1900
Houston, TX 77010

George L. McWilliams
Patton, Haltom, Roberts, McWilliams,
& Greer, LLP
2900 St. Michael Drive, 4th Floor
Texarkana, Texas 75503

Laura R. Handman
Davis, Wright, Tremaine, L.L.P.
1500 K Street, N.W., Suite 450
Washington, D.C. 20005-1272

Victor Hlavinka
Atchley, Russell, Waldrop & Hlavinka
P.O. Box 5517
Texarkana, TX 75503-5517



George E. Bowles, Attorney for Plaintiff